

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v-

No. 23-CR-279-LTS-7

RANDY BAUTISTA,

ORDER

Defendant.

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The Court has received and reviewed Mr. Bautista’s request to modify his bail conditions (docket entry no. 136), as well as the Government’s letter in opposition (docket entry no. 138). For the following reasons, Mr. Bautista’s request is denied.

At the bail hearing in this case, on August 2, 2024, the Court noted that “[t]his is a difficult case” and “a difficult question of detention.” (Docket entry no. 77 (“Hrg. Tr.”) at 35:6-7.) The Court noted the Government’s representations as to the strength of its evidence and that “[t]he crime in which Mr. Bautista was actively involved was shockingly heinous.” (Id. at 35:7-10.) The Court also recognized that “the Government’s proffer relates to this one terrible incident that took place on one night in 2022” with “no evidence of further violent activity” or prior criminal history. (Id. at 35:16-18.) The Court carefully considered the totality of these circumstances in light of the factors set forth in 18 USC section 3142(g) to determine the appropriate bail conditions in this case.

In his request to modify the conditions of his bail, Mr. Bautista emphasizes that he has “been fully compliant with the strict terms of his release” and “continues to use his time wisely to prepare himself for a better future.” (Docket entry no. 136 at 1.) For instance, Mr. Bautista reports that he recently “graduated from The Focus Forward Project and was the graduation speaker.” (Id. at 1.) Mr. Bautista’s recent behavior is impressive, and the Court

applauds Mr. Bautista for his completion of Focus Forward and the additional steps he has taken to engage positively with the community. However, the Court concludes that Mr. Bautista has not presented the Court with new information that alters the Court's analysis stated during the August 2, 2023, bail hearing.

Accordingly, Mr. Bautista's request is denied. This order resolves docket entry no. 136.

SO ORDERED.

Dated: New York, New York
March 1, 2024

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge